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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,106	04/08/2004	Marko Viitamaki	879A.0023.U1(US)	8992
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EXAMINER				
NGUYEN, DAVID Q				
ART UNIT		PAPER NUMBER		
2617				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/821,106

**Applicant(s)**

VIITAMAKI ET AL.

**Examiner**

DAVID Q. NGUYEN

**Art Unit**

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 45-49, 55-57 and 66-74 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 45-48, 55-57, 66-69 and 71-74 is/are rejected.
- 7) ☒ Claim(s) 49 and 70 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 45-49, 55-57, and 66-74 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 46-48, 55-57, 66-69, and 71-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US 2003/0036354 A1) in view of Bi et al. (US 5,867,106).

Regarding claim 55, Lee et al. disclose an apparatus comprising: an interface configured to communicate in a first radio network, where the first radio network comprises a short range radio network (see fig. 1 and fig. 0027; wireless mobile unit 140 communicates with the Bluetooth device 110 using Bluetooth network); the interface configured to communicate, to another apparatus, an interface to the short range radio network (see fig. 1 and fig. 0027; wireless mobile unit 140 communicates with the Bluetooth device 110 using Bluetooth network), a control unit configured to control a power save mode of the short range first radio network in accordance with at least an activity state of a user interface (see pars. 0026-0027; sleep mode). Lee et al. do not disclose the interface comprising a representation of a graphical user interface configured to enable interaction between the another apparatus and said apparatus over said first radio network. However, Bi et al disclose an interface comprising a representation of a graphical

user interface configured to enable interaction between another apparatus and said apparatus over said first radio network (see col. 7, line 4 to col. 8, line 31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Bi et al. to Lee et al so that user can place the wireless interface device in a power mode by selecting an icon.

Regarding claims 67 and 73, Lee et al. disclose a method and a memory embodying instructions executable by a processor to perform actions comprising: communicating, with a first device, in a first radio network, where the first radio network comprises a short range radio network (see fig. 1 and fig. 0027; wireless mobile unit 140 communicates with the Bluetooth device 110 using Bluetooth network); and controlling a power save mode of the first radio network in accordance with at least an activity state of a user interface (see pars. 0026-0027; sleep mode). Lee et al. do not disclose communicating, to a second device, a representation of a graphical user interface configured to enable interaction between the second device and said first device over said first radio network. However, Bi et al disclose communicating, to a second device, a representation of a graphical user interface configured to enable interaction between the second device and said first device over said first radio network (see col. 7, line 4 to col. 8, line 31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Bi et al. to Lee et al so that user can place the wireless interface device in a power mode by selecting an icon.

Regarding claims 46-48 and 68-69, Bi et al. also disclose wherein said control unit is configured to control a power save mode of the first radio network in accordance with an activity state of the of at least one of the following in the second another apparatus: a lock state of a

lockable keypad, a lock state of a lockable touch sensitive display, a state of a screensaver, a lock state of a lockable screensaver, and a state of a lid or an opening mechanism of the apparatus (see col. 7, line 4 to col. 8, line 31 and fig. 37); wherein said activity state of the graphical user interface of the is defined by an indication of an input on the another apparatus or lack of it for a chosen period of time (see col. 7, line 4 to col. 8, line 31 and fig. 37); wherein said input is indicated by one of the following acts on the another apparatus: a touch on a key, keypad or touch sensitive display, opening or closing of a lid or an opening mechanism of the second apparatus, or a specific sound input on the apparatus's microphone or like (see col. 7, line 4 to col. 8, line 31 and fig. 37).

Regarding claim 56, Lee et al. also disclose the apparatus comprising a Bluetooth receiver and transmitter which are configured to communicate via the short range radio network (see fig. 1 and par. 0027).

Regarding claims 57, 71 and 74, Lee et al. also disclose the apparatus comprising an interface to a second radio network, where the second network comprises a cellular network and where the apparatus is configured to act as a gateway between the another apparatus and the cellular network (see fig. 1, CDMA network).

Regarding claims 66 and 72, Bi et al. also disclose where the representation of the graphical user interface comprises a bitmap, and where the representation is re-communicated when there is a change to the bitmap (see col. 7, line 4 to col. 8, line 31).

3. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US 2003/0036354 A1) in view of Bi et al. (US 5,867,106) and further in view of Liu (US 2004/0176065 A1).

Regarding claim 45, the apparatus of Lee et al. in view of Bi et al. does not mention wherein the apparatus comprises a wireless local area network receiver and transmitter. However, Liu disclose an apparatus comprises a wireless local area network receiver and transmitter (see par. 0012 and par. 0017, fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Liu to the apparatus of Lee et al in view of Bi et al. so that the apparatus not only can work in wireless net work, Bluetooth network, but the apparatus also can work in WLAN.

#### ***Allowable Subject Matter***

4. Claims 49 and 70 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 49 and 70, the above prior arts do not disclose where the control unit is configured to decrease said power level mode in accordance with an increase in the activity state and increase said power level mode in accordance with a decrease in the activity state, as specified in the claim.

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID Q. NGUYEN whose telephone number is (571)272-7844. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bost Dwayne can be reached on (571)272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Q Nguyen/  
Primary Examiner, Art Unit 2617